

## **TITLE 21. RAT CONTROL**

### **Chapter 21.01. Rat Control.**

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#### **21.01.010. Definitions.**

Business Building. The term "business building" shall mean any structure, whether public or private, regardless of the type of material used in its construction, located within the boundaries of the city, that is adapted to occupancy for residence or for the transaction of business, whether vacant or occupied, for the rendering of professional services, for the display, sale or storage of goods, wares or merchandise, or for the performance of work or labor, including hotels, rooming houses, boardinghouses, apartment houses, beer houses, beer parlors, office buildings, public buildings, stores, markets, restaurants, grain elevators and abattoirs, warehouses, workshops and factories, junk yards, scrap iron businesses or places, lumber yards, coal yards, automobile tire yards, sheds or buildings used for the storage of tires and any or all similar places where rats may find harborage.

Health Officer. The term "health officer" as used herein means the health officer of the city or any duly authorized representative.

Occupant. The term "occupant" as used herein shall mean the individual, partnership, or corporation that uses or occupies any business building or part or fraction thereof, whether the actual owner or tenant. In the case of vacant business buildings or vacant portions thereof, the owner, agent or custodian shall have the responsibility as occupant.

Owner. The term "owner" shall mean the actual owner, agent or custodian of the business building, whether individual, partnership or corporation. The lessee shall be construed as the "owner" for the purpose of this chapter when business building agreements hold the lessee responsible for maintenance and repairs.

Rat eradication. The term "rat eradication" means the elimination or extermination of rats within buildings or premises by any or all of the accepted measures, such as poisoning, fumigation, trapping, clubbing, etc.

Rat harborage. The term "rat harborage" shall mean any condition which provides shelter or protection for rats, thus favoring their multiplication and continued existence, in, under or outside of any structure.

Vent stoppage; ratproofing. The terms "vent stoppage" or "ratproofing" as used herein apply to a form of ratproofing to prevent the ingress of rats into business buildings from the exterior or from one business building to another. It consists of the closing and keeping closed of all openings in the exterior walls, ground or first floors, basements, roofs, sidewalk gratings, sidewalk openings, foundations, elevator shafts, fire escapes and other places that may be reached and entered by rats by climbing, burrowing or otherwise. The material to be used for ratproofing shall include cement, concrete, brick masonry laid in cement, concrete mortar, sheet metal and hardware cloth of not less than nineteen gauge having a mesh not larger than one-half inch. All material for ratproofing shall be of such strength and thickness as to be impervious to rat gnawing. Windows and other openings for light or ventilation, the sills of which are less than thirty inches from the ground or accessible to rats by means of climbing wires or pipes, shall, if open, be covered by hardware cloth conforming to the above gauge and dimensions. All exterior doors shall be protected against the gnawing of rats by the use of materials prescribed above. When closed, all exterior doors shall have a maximum clearance between doors, door sills and jambs of not exceeding three-eighths inch. In all side and rear doors which are left open at night, and those which are left open during the day, but infrequently used, shall be installed hardware cloth doors conforming to the above dimensions and equipped with a self-closing device. All concrete floors and curtain walls shall be at least four inches in thickness.

**21.01.020. Respective Duties of Owner and Occupant.**

All business buildings in the city shall be ratproofed by the owner and freed of rats and maintained in a ratproof and rat-free condition by the occupant or tenant, to the satisfaction of the health officer.

**21.01.030. Failure of Owner to Ratproof After Notice.**

Upon receipt of written notice or order from the health officer, the owner of any business building specified therein shall take immediate measures for ratproofing the building and unless such work and improvements have been completed by the owner in the time specified in the written notice, in no event to be less than fifteen days, or within the time to which a written extension may have been granted by the health officer, then the owner shall be deemed guilty of a Class B misdemeanor under the provisions of this chapter.

**21.01.040. Failure of Occupant to Free Building of Rats After Notice.**

Whenever the health officer notifies the occupant of a business building that there is evidence of rat infestation of the building, such occupant shall immediately institute appropriate measures for freeing the premises he occupies of all rats and unless such measures are instituted within fifteen days after receipt of notice and unless continuously maintained in a satisfactory manner until the building is free of rats, the health officer is hereby authorized and directed to free the building. If the costs thereof are not paid by the owner or occupant, the health officer shall certify the amount due from the owner or occupant to the city attorney and the city attorney shall bring suit to collect the same.

**21.01.050. Duty of Owner to Maintain Ratproofed Building in Ratproof Conditions.**

The owners of all ratproofed business buildings are required to maintain the premises in a ratproof condition and to repair all breaks or leaks that may occur in the ratproofing without a specific order of the health officer.

**21.01.060. Inspections by Health Officer.**

The health officer is empowered to make unannounced inspections of the interior and exterior of business buildings to determine full compliance with this chapter and the health officer shall make periodic inspections at intervals of not more than three months of all ratproofed buildings to determine evidence of rat infestation and the existence of new breaks or leaks in their ratproofing. When any evidence is found indicating the presence of rats or openings through which rats may again enter business buildings, the health officer shall serve the owners or occupants with notice or orders to abate the conditions found.

**21.01.070. Closing Building.**

Whenever conditions inside or under occupied business buildings provide extensive harborage for rats, in the opinion of the health officer, the health officer is empowered, after due notification in accordance with section 21.01.030, to close such business buildings until such time as the conditions are abated by ratproofing

and harborage removal, including, if necessary, the installation of suitable concrete floors in basements or the replacement of wooden first or ground floors with concrete or other major repairs necessary to facilitate rat eradication.

**21.01.080. Condemnation.**

Whenever conditions inside or under unoccupied business buildings provide extensive harborage for rats, in the opinion of the health officer, the health officer is empowered to require compliance with the provisions of section 21.01.030 and in the event such conditions are not corrected in a period of sixty days or within the time to which a written extension may have been granted by the health officer, the health officer is empowered to institute condemnation and destruction proceedings.

**21.01.090. Removing Ratproofing. New Opening.**

It shall be unlawful, under the provisions of this chapter, for any occupant, owner, contractor, public utility company, plumber or any other person to remove and fail to restore in like condition the ratproofing from any business building, for any purpose. Further, it shall be unlawful for any person to make any new openings that are not closed or sealed against the entrance of rats.

**21.01.100. Construction, Repair or Remodeling of Structure.**

It shall be unlawful for any person to construct, repair or remodel any building, dwelling, stable or market or other structure whatsoever unless such construction, repair, remodeling or installation shall render the building or other structure ratproof in accordance with the regulations prescribed herein and hereunder; provided, that only such repairs, remodeling or installation as affect the ratproof condition of any building or other structure shall be considered as subject to the provisions of this section.

**21.01.110. Structures Wherein Foodstuffs are Kept, etc.**

It shall be unlawful for any person to occupy any building or structure wherein foodstuffs are to be stored, kept, handled, sold, held or offered for sale without complying with the ratproof regulations prescribed herein and hereunder for existing buildings and structures.

**21.01.120. Compliance with Chapter Before Issuance of License.**

No license from the city to conduct or carry on a business will be issued to any person until the requirements of this chapter have been complied with.

**21.01.130. Duty of Building Inspector to Submit Plans to Board of Health.**

When in the opinion of the chief building inspector, plans for building, remodeling or renovating indicate that such changes or construction will affect the ratproof condition of a building or structure, the chief building inspector shall forward such plans or specifications to the board of health for their recommendations with regard to ratproofing or vent stopping. This shall apply both to new buildings or the renovating of existing structures.

**21.01.140. Duty of Utility Companies as to Wires.**

Utility companies shall place all wires or guy wires attached to buildings at least eighteen inches away from the openings or attach rat guards as defined by rules and regulations of the health officer.

**21.01.150. Storage of Feed For Animals, Etc.**

All food and feed within the city for feeding chickens, cows, pigs, horses and other animals shall be stored in rat-free and ratproof containers, compartments or rooms, unless stored in a ratproof building.

**21.01.160. Garbage or Refuse Consisting of Waste Animal or Vegetable Matter.**

Within the corporate limits of the city, all garbage or refuse consisting of waste animal or vegetable matter, upon which rats may feed, and all small dead animals shall be placed and stored until collected in covered metal containers of a type prescribed by the health officer. It is further declared unlawful for any person to dump or place on any premises, land or waterway any dead animals or any waste vegetable or animal matter of any kind.

**21.01.170. Rubbish, Etc., Which May Afford Food or Harborage for Rats.**

It shall be unlawful for any person to place, leave, dump or permit to accumulate any garbage, rubbish, trash or junk in any building or on any premises, improved or vacant, or any open lot or alley or elevated loading platform in the city so that the same shall or may afford food or harborage for rats.

**21.01.180. Accumulations of Material to be on Open, Elevated Racks.**

It shall be unlawful for any person to permit to accumulate on any premises, improved or vacant, or any open lot or alley in the city any lumber, boxes, barrels, bottles, cans, containers, junk or other materials that may be permitted to remain thereof, unless the same shall be placed on open racks that are elevated not less than eighteen inches above the ground and evenly piled or stacked.

**21.01.190. Rules and Regulations of Health Officer.**

The city health officer is hereby authorized to adopt rules and regulations necessary to enforce the provisions of this chapter.